lished within recent months in The Times-Dispatch. The many incongruities and absurdities of our present tax laws have been thoroughly ventilated and Judge Old's thoughtful and timely paper, the argument of which was

paper, the argument of which was heartily concurred in by his auditors, emphasized the desire of leading lawyers of the State to bring about sorely needed reforms in this direction.

To-night a brilliant ectillion in the Homestead ballroom brought out all the beaux and belies of Hot Springs, including many of the most beautiful women in Virginia.

Mr. Old Lends German,

Mr. Old Leads German.

The german was led by W. W. Old, Jr., of Norfolk. Guests present were Mrs. Nancy Shackelford, Miss Walpole, Miss Bullit, Miss Parker, Miss Sterns, Miss Griffin and Pleasanton Conquest, of Richmond; John W. Stephenson, Jr., of Warm Springs, Peyton Cochran, of Staunton; Lieutenant O. L. Shackleford, of Orange, nephew of the famous discoverer of the magnetic South Pole; Arthur Hurkamp, of Warm Springs; S. W. Hamner, of Lynchburg; J. Kent Rawley, of Richmond; Henry Sydnor, lawley, of Richmond; Henry Sydnor Jarrison, of Richmond; John C. Brown, Harrison, of Richmond; John C. Brown, Hon. W. C. Bibb, of Louisa; Rolafid T. Thorpe, of Norfolk; H. Stewart Jones, of Richmond; Joshua A. Bullit, of Big Stone Gap; B. C. Tilghman, George C. Gregory, Joseph Stebbins, of South Boston; Addison Reynoids, of Richmond; Francis A. Cox, of North Carolina; C. F. Cocke, of Roanoke; Frank W. Gwathmey, of Washington; James W. Burgess, of Suffolk.

Miss Bettle B. Booker, of Richmond, gave a concert in the auditorium to-

gave a concert in the auditorium to-night, which was attended by all the music-lovers gathered at Hot Springs.

Among those present were Miss Woods, of Charlottesville, daughter of the retiring president of the association; Mrs. Nicholas Longworth, Miss Gladys Ingalis, Miss Page Williams, of Orange; Miss Mamie Davenport, of Richmond; Miss Rutherford, of Baltipare, the Misses Stephanan and Misser.

settled which does not appear to be

The State-may delegate its powover carriers to a commission, The act of the State in prescribrates is legislative in its nature.

nature.

4. The reasonableness of the rates prescribed is subject to judicial in-

The proper remedy is by suit in

equity.
6. Courts will not prescribe rates.
7. Suits against railroad commissions are not suits against the State.
8. Courts cannot by injunction restrain a commission from prescribing

Women's Secrets

There is one man in the United States who has perhaps heard more women's secrets than any other man or woman in the country. These secrets are not secrets of guilt or shame, but the secrets of suffering, and they have been confided to Dr. R. V. Pierce in the hope and expectation of advice and help. That few of these women have been disappointed in their expectations is proved by the fact that ninety-eight per cent. of all women treated by Dr. Pierce have been absolutely and altogether cured. Such a record would be remarkable if the cases treated were numbered by hundreds only. But when that record applies to the treatment of more than half-a-million women, in a practice of over 40 years, it is phenomenal, and entitles Dr. Pierce to the gratitude accorded him by women, as the first of specialists in the treatment of women's diseases.

Every sick woman may consult Dr. Pierce by letter, absolutely without charge. All replies are mailed, sealed in perfectly plain envelopes, without any printing or advertising whatever, upon them. Write without fear as without fee, to World's Dispensary Medical Association, Dr. R. V. Pierce, Prest., Buffalo, N. Y.

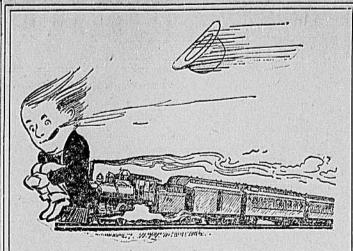
DR. PIERCE'S FAVORITE PRESCRIPTION

Makes Weak Women Strong,

SOUTHERN BELL TELEPHONE AND

TELEGRAPH COMPANY OF VIRGINIA

Efficient Service



Going some and they're all coming to our August Clearing Sale, where everything for men's and boys' wear has had a big slice cut off the price.

Big selling means big buying—the more we sell the cheaper we can buy and the bigger advantage we can give our customers.

And with the general cut in prices all through the big store, buying is a delightful avocation here now.

O. H. Berry & Co.

"At the threshold of the consideration of the case the attitude of this
court to the facts found below should
be defined. Here are findings of fact
by a master, confirmed by the court.
The company contends that under these
circumstances the indings are conclusive in this court, unless they are
without support in the evidence, or
were made under the influence of erreneous yiews of law. We need not roneous views of law. We need not stop to consider what the effect of such findings would be in an ordinary suit in equity."

Further Suggestions.

Then after a discussion of the na Then after a discussion of the nature of the power exercised by the City Council of Knoxville, and of the caution which should be observed by courts in refusing to enforce legislation of this character, he proceeds:

"In view of the character of the judicial power invoked in such cases, it is not tolerable that its exercise should nest securely upon the findings.

strain a commission from prescribing rates.

9. There is a presumption in favor of the reasonableness of rates which are fixed by legislative authority and therefore the courts should not interfere except in a plain case.

The tenth subdivision of the paper is a review of the Virginia case.

This is the eleventh division of the paper, containing the conclusions:

"I know that the best legal thought of the country has been dealing with these complicated questions for many years. It is difficult, therefore, if not impossible, to make any suggestion which has not already been either adopted or condemned by the courts. I, nevertheless, venture to remark that as no elestion-should be regarded as finally sellied until rightly settled, some of the awkward results of rate legislation which have arisen from judicial action, without the neces-

Sick Women Well.

N EXTENSION Wall Set Bell Telephone is an

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located in the room which you

frequent oftenest. You can re-

ceive telephone messages at no

inconvenience, and send them,

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IN RESIDENCES

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too. It saves useless steps.

erence to rate legislation is subject to the same rule as that which is properly applicable to general legislation, in that there can be no litigation in advance with reference to it. The two classes of legislation seem to me to be so different in nature as to justify the application of a different rule. When the Legislature is about to prescribe a new rule of evidence, or a new negotiable instrument law or a law prescribing an income tax, and such like, it is practically impossible to give notice to all who may be interested, not only because they are so numerous, but because they are not known. Therefore, it is impossible to summon all of those whose property rights are, or may be, lujuriously affected. It is thus impossible to summon all of those whose property rights are not proposed never any lumpostible to have anything like "litigation in advance" with the general public, with reference to general legislation affecting property rights of many people, because it is impossible to summon them and give them an opportunity to be heard. This, however, is not true as to litigation prescribing rates, lis easy to summon the company whose property rights are to be affected by the proposed new rate, and such company can be given the opportunity to be heard as to the reasonableness of the proposed rate, and to introduce evidence in support of any contention it may make, and it is perfectly practicable and feasible to have precisely such a hearing in advance of the rate legislation as the courts are able to give such company after the rate has been prescribed.

Does Not Stand Text of Renson, My Lord Coke says "the reason of the law," and litigation.

Does Not Stand Text of Renson, My Lord Coke says "the reason of the law," and litigation as the courts are able to give such company after the rate has been prescribed.

been prescribed.

Does Not Stand Test of Renson.

My Lord Coke says "the reason of
the law is the life of the law," an
we are fond of thinking of the law a the "perfection of human reason." maintain that if the law is to kee

maintain that if the law is to keep pace with a growing civilization it must grow as everything else does, to meet new conditions.

It is undoubtedly true that there can be no litigation in advance, with reference to general legislation. The reason of this, however, is manifest. It is because it is impossible to notify those whose property rights are to be affected. This amply sufficient reason, however, fails when the legislation is special and the person or persons whose property rights are to be affected, can be notified and summoned.

moned.
So in the Virginia case, the proposition laid down by the court that the hearing's before the State Corporatio Commission and on appeal before the Supreme Court of Appeals of Virgini

sition, which in the forum of reason and common sense, must be untenable. Ithat a hearing upon legal evidence and a judgment by the Supreme Court of Appeals of Virginia should not be given the sanctity of a judicial decree, while a similar hearing and decree upon precisely the same issue and upon similar evidence before the Circuit Court of the United States has such sanctity.

Encouraging Outlook.

Greenesville

Innover

reason to suppose that they will, after reason to suppose that they will, after such hearings, desire to reopen the questions involved in the United States Court. If they should pursue their remedy in that court, bearing the burden of adverse decisions from the State courts, there will be slender chances for success.

Should Be Careful.

Should He Careful.

While we may not be justified in claiming with optimism that all is well, it is certainly erroneous to adopt the pessimistic view that all is wrons. The truth lies between these two extremes, with the advantage, as the result of the recent conflicts in the courts, largely with the governments, Federal and State. Governmental regulation is more efficient to-day than at any time in the past.

The reservice of the same time of Southampton.

Among those present were Miss Woods, of Charlotteavilled, daughter of the retiring president of the association; Mrs. Nicholas Longworth, Miss Orange; Miss Manne Davenport, of Richmond; Miss Rutherford, of Baltimore; the Misses Stephenson and Miss Fiynn, of Warm Springs; Miss Moorman, Miss Ashton Wilson, Mrs. Robert W. Withers, of Suffolk; Miss Clayton, of Roanbee, Miss Hammer, of Lynch, and the reference of Richmond; Miss Rutherford, of Richmond; Miss Rutherford, of Richmond; Miss Rutherford, of Richmond; Miss Clayton, of Roanbee, Miss Hammer, of Lynch, and the reference of Richmond; Miss Chew, of Warm Springs; Miss Moorman, Miss Ashton Wilson, Mrs. Robert W. Withers, of Suffolk; Miss Clayton, of Roanbee, Miss Hammer, of Lynch, and the reference of Richmond; Miss Chew, of Washington, or Roanbee, Miss Hammer, of Lynch, and the reference of Richmond; Miss Chew, of Washington, or Petersburg.

Colonel John S. Harwood, of Richmond; Miss Chew, of Washington or Petersburg.

Colonel John S. Harwood, of Richmond; Miss Chew, of Washington or Petersburg.

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Colonel John S. Harwood, of Richmond; Miss Chew, of Washington or Petersburg.

Colonel John S. Harwood, of Richmond

realized this fully, and in Smith vs.
Ames, U. S. 365, 43 L., 199, Mr. Justice is Harlan said:

"Of course, the reasonableness of a steedule of rates must be determined by the facts as they exist when it is sought to put such rates into operation."

The so-called final decree itself in that case reserved the right to the modification of the decree in this lant grange;

"It is furfiser ordered, adjudged and decreed that the defendants, members of the board of transportation of the said State, may hereafter, when the circumstances have changed so able compensation for the said act shall yield to the said companies reasonable compensation for the service aforesaid, apply to this court'by supplemental bill or otherwise, as they may be advised, for a further order in that behalf."

Courts May Have Erred.

This precedent has, I think, been uniformly followed in decrees condemning rate legislation. So that such a decree is only res adjudicata in the decree is pronounced, but the case listed is held open for future orders, so as to reserve to the court the power to modify the decree and declare the rates reasonable at a subsequent period if changed circumstances, said justify such a subsequent change in the decree, The statute remains until repealed by the law-making authority, and the efforcement of rates prescribed may be at one time decreed to be confiscatory and at weather the percent of the court of the supremental prescribed may be at one time decreed to be confiscatory and at whether the management of rates prescribed may be at one time decreed to be confiscatory and at whether the management of rates prescribed may be at one time decreed to be confiscatory and at whether the courts and the confiscation that the proposed proposed

Alleghany	62	26
Amella		tie.
Amherst	414	42
Appointtox		6
Augusta	325	1,04
Bath		
Bedford	621	23
Bland		11
Botetourt	101	37
Brunswick	342	19
Buchanan		4
Buckingham	271	24
Campbell	462	9
Caroline	185	15
Carroll		- 65
Charles City.	3	
Charlotte	534	25
Chesterfield	245	27
Clarke	44	
Cralg	80	15
Culpeper	408	51
Cumberland		12
Diskenson	30	
Dinwiddle	03	26:
Elizabeth City	188	23:
Essex	117	120
Fairfax	280	52:
Pauquier	500	441
Floyd	103	2
Fluvanna	-	10
Franklin	445	20
Frederick	525	24.
Prenerick		32:
Glles		

Bacouraging Outlook. In Virginia there is much in the situation which is most encouraging. We have a system the legality and wisdom of which has received the approval of the Supreme Court of the United States. This system assures the public service corporations against hasty and ill-considered rate legislation. Under its operation the companies must either obey the orders of the commission or appeal to the Supreme Court of Appeals. Such hearings in these two tribunals give assurance of ultimate justice to the corporations, so that there is liftle reason to suppose that they will, after Orange Page Patrick Princess Anne Stafford Charlottesville 194 *Clifton Forge Petersburg Portsmouth Winchester

*Vote included in county returns. Koiner's lend is 156.

Official Counts Begin

FAIRFAX, VA., August 11.—The Democratic County Committe met here to-day and canvassed the returns of the Democratic primary held in this county on Thursday last.
According to the official returns, the vote in Pairfax county shows the following results. Total number of votes cast 853

Forceast: For Virginia-Partly cloud;

I	Wind, direction	1 2
Ì	Wind, velocity	
Į	Weather	le:
Į	12 noon temperature	
	3 P. M. temperature	3
	Maximum temperature up to 5 P.	
	M	8
	Minimum temperature up to 5 P.	
	M	- (
	Mean temperature	. 1
	Normal temperature	7
	Deficiency in temperature	
	Excess in temperature since	
	March 1	14
	Accum, excess in temperature	M)
	since January 1	20
	Deficiency in rainfall since March	90)
	1	:
	Accum, deficiency in rainfail since	
	January 1	
	CONDITIONS IN IMPORTANT CITI	
	CONDITIONS IN IMPORTANT CITI	-
	(At 8 P. M., Eastern Standard Tim- Place. Ther. H. T. Weati	
	Place. Ther. H. T. Weatt	

P. cloudy Rain Cloudy Clear Rain Clear

Manchester Bureau, Times-Dispacht, 1102 Hull Street.

[Special to The Times-Dispatch.] FAIRFAX, VA., August 11.—The

THE WEATHER

[Special to The Times-Dispatch.] ACCOMAC, VA., August 11.—Brown, 64; Koiner, 856, In Accomac. [Special to The Times-Dispatch.] WARSAW, VA., August 11.—Koiner carries Richmond county by 59 major-

Forceast; For Virginia—Tarty clusty and somewhat warmer Thursday, prob-nbly showers Thursday night or Fri-day; light to moderate, variable winds, mostly cast.

North Curollina—Partly cloudy Thurs-day and Friday; moderate, variable winds, mostly cast.

hicago ... Vorfolk ...

EVERYBODY IS SMOKING "Blue Mouse" 9 FOR 15 CENTS. Long filler and hand-made cigars. It's their quality and not the looks that is making a "hit" with the smokers. Gordon Cigar & Cheroot Co., Inc. Independent Manufacturers, Richmond, Va. 2,634 ville District and fifteen precincts in C 820 the other five magisterial districts of the county, although he made no can-vass of the county, and his opponent made an active canvass, covering a period of more than three months, and had interviewed practically every voter in the county.

It is thought that every member of

WANTED!

and Machine Bunch Makers

Steady work. Apply at once. GORDON CIGAR AND

100 Experienced Hand Rollers

CHEROOT CO., Inc., Nineteenth Street, Richmond, Va.

For Governor:

William Hodges Mann. 429
Harry St. George Tucker 413
Mann's majority 16
For Lieutenant-Governor:
James R. Caton. 451
J. Taylor Ellyson 280
Caton's majority 71
For Attorney-General:
Samuel W. Williams 556
Robert Catlett 254
Williams's majority 302
For Commissioner of Agriculture:
George W. Koiner. 523
J. Thompson Brown. 280
Koiner's majority 243
For House of Delegates:
Walter Tansill Oliver 475

the House of Delegates from this en-tire section will support Richard Eve-lyn Byrd for the speakership.

[Special to The Times-Dispatch,]
KING AND QUEEN C. H., VA.,
August 11.—Vote of King and Queen
county, primary August 5, 1999; Mann,
17; Tucker, 127; Caton, 27; Ellyson, 156; Catlett, 67; Williams, 116; Brown, 56;

So Tired

the chances are its from an inactive LIVER ._ With a well conducted LIVER

one can do mountains of labor without fatigue. It adds a hundred per cent to

ones earning capacity. It can be kept in healthful action by, and only by

[Special to The Times-Dispatch.] PEARISBURG, VA., August 11 Bland county gives Koiner 119 majo 3 ity over Brown.

[Special to The Times-Dispatch.] NOTTOWAY, VA., August 11.—Offi-ial yote in Nottoway county: Brown 103: Koiner, 217.

[Special to The Times-Dispatch.] PARKSLEY, VA., August 11.—Brown 364; Koiner, 856, in Accomac.

[Special to The Times-Dispatch.] EASTVILLE, VA., August 11.—The official vote of Northampton gives Koiner 103 majority; Accomac, 494

[Special to The Times-Dispatch.] WARSAW, VA., August 11.—Kolner arries Northumberland by forty-seven ajority.

[Spacial to The Times-Dispatch.]
CHARLOTTESYILLE, VA., August
11.—The official vote of Greene gives
that county to Judge Mann, instead of
Tucker, Following are the majorities:
Mann, 26; Ellyson, 121; Williams, 115;
Welver, 118 Koiner, 118.

TIME AND TIDES.

August 12, 1909.

5... 5:24 HIGH TIDE.

7:06 Morning... 1:13 Official vote, just canvassed, for the general control of the many statements of the many statements. The many statements of the many statements of the many statements of the many statements. The many statements of the many statements of the many statements of the many statements. The many statements of the many statements of the many statements of the many statements of the many statements. The many statements of the many

has already been some inconvenience casioned, and a more serious situation r arise at any time. Under Serious Charge,

from his county.

Coming and Going.

Mrs. B. M. Robertson and Mrs. George Jones returned home Sunday from Ocean View after a pleasant visit of several weeks. Mr. and Mrs. W. J. Carter and son and Mr. and Mrs. D. P. Walke returned home yesterday from Virkinia Bay Hotel, Ocean View.

There is an easy solution to the problem of health and thousands have proven it by the Bitters. Try a bottle to-day for

day for Vomiting,

Poor Appetite,

Indigestion,

Dyspepsia,

Cramps and

News of Manchester

Our Great

Reduction Sale Manchester Durent, Alexandre Street. The petition asking for the appointment of C. L. Page to fill the office of judge of the Corporation Coint of Manchester, left vacant by the death of Judge Clopton, was not presented to Governor Swaison on Tuesday as was expected, and as the Governor is now at the White Sheyman Springs it is probable that the White Sheyman by the Street of Is Still On!

It includes all Refrigerators, Baby Carriages, Go-Carts, Summer Chairs, and Rockers, many of which are worthy a place inside your home as well as on your porch. Porch Screens, etc. This is a great opportunity.

Sydnor & Hundley,

Furniture for the Home Beautiful, View. Mrs. Duncan Pulliam and daughter are the guests of her sister, Mrs. East, in Nortolk.

The Land-a-Hand Society of the Bains. 709-11-13 East Broad Street